

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 356 of 2004

Between:

M/s. Vasavi Traders, Chintalapudi rep by Proprietor, J. Adinarayana S/o
J. Sarveswara Rao, West Godavari District.

..... PETITIONER

AND

- 1 Deputy Commercial Tax officer, Chintalapudi, West Godavari District
- 2 The Appellate Deputy Commissioner (CT), Vijayawada
- 3 The Additional Commissioner (CT), Legal Officer of Commissioner
Commercial Taxes, Opp. Gandhi Bhavan Nampally Station Road,
Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or Direction more particularly a Writ of Mandamus and declare the action of the 3rd respondent in rejecting the stay petition filed by the petitioner vide his order dt 10-10-2003 as illegal, arbitrary and violative of Articles 14 of the Constitution of India and grant the consequential relief by granting stay of collection disputed penalty of Rs. 36,900/- pending Second Appeal filed by the petitioner before STAT and issue any other appropriate Writ order or direction as this Hon'ble Court may be pleased to deem fit and proper

For the Petitioner:MR.DANTU.SRINIVAS, Advocate.

For the Respondents : GP FOR COMMERCIAL TAXES.

The Court Made the Following :

-
-
-
-
-
-

ORDER : (Per Sri Bilal Nazki, J).

It is submitted that the appeal was pending when the Writ Petition was filed, which has now been disposed of, therefore this Writ Petition has become infructuous and the Counsel for Petitioner seeks permission to withdraw the Writ Petition with liberty to file fresh one.

Therefore the Writ Petition is dismissed, liberty granted. No costs.

(BILAL NAZKI, J)

30th June, 2004.

(P.S.NARAYANA,J)

ajr.

To

1 Deputy Commercial Tax officer, Chintalapudi, West Godavari

District.

2 The Appellate Deputy Commissioner (CT), Vijayawada

3 The Additional Commissioner (CT), Legal Officer of
Commissioner Commercial Taxes, Opp. Gandhi Bhavan Nampally
Station Road, Hyderabad

4) Two copies to the Government Pleader for Commercial Taxes,
High Court buildings, Hyderabad (O.U.T).

5) Two C.D. copies.